

Fair to-day and probably to-morrow; rising temperature. Temperatures yesterday—Maximum, 40; minimum, 33.

# THE WASHINGTON HERALD

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## SERBIAN TROOPS OCCUPY DURAZZO; EUROPE WATCHES

Austrian Refugees Leave City on Steamship—General Conference to Be Called.

## PEACE PARLEYS PROGRESS

Conclusion of Treaty Ending War Possible by Sunday—Excitement in Vienna.

London, Nov. 28.—Durazzo, the Albanian Adriatic port, was occupied to-day by Serbian troops. The occupation was peaceful. The Austrian Lloyd steamer Graf Wurmbrand, which has been in the port of Durazzo for several weeks, left immediately, crowded with refugees. The effect of this move on the part of Serbia will be watched with the greatest interest, Durazzo being the port which Serbia wishes to retain and which Austria has announced must not be held by Serbia.

The independence of Albania, which was proclaimed yesterday, evidently cut no figure in the Serbian occupation.

Peace Negotiations Continue.

Advices from Constantinople indicate that the peace negotiations are progressing satisfactorily at Baghche, and there is no indication of a resumption of operations along the Thessalonian lines. An exchange is going on among the great powers, looking to a full conference of all European powers. Should it be called, it will likely be considered as preparatory to a later and full conference, which would include the Balkan states and Turkey, for a final settlement of all questions arising out of the war. Nothing has been decided upon as to where the conference shall be held or precisely what questions shall be discussed. The project appears to have arisen out of the general irritation over the delays in a telegraphic exchange of views.

Excitement in Vienna.

There is considerable excitement in Vienna over the action of the Austrian government in continuing its arrangements for the mobilization of the Austrian army, which show that nation's determination to be fully prepared for any development in the present crisis in the Balkans.

At a meeting of the Austrian parliamentary leaders to-night it was decided to allow the premier's three bills dealing with matters relating to the war, to go to committee without the customary first reading.

Considerable optimism is expressed in a Sofia dispatch tonight over the prospect of the termination of the war. It is believed that if no unforeseen difficulties arise, a treaty of peace will be concluded by Sunday.

## Peace Parleys Make Headway

Constantinople, Nov. 28.—The parleys at Baghche are proceeding satisfactorily, an armistice being practically in existence. The negotiations are now directly concerned with the terms of peace. Each side has entertained the other at dinner, and the friendliest feeling exists, greatly assisting the discussion.

The Porte is extremely reluctant, but a most hopeful air pervades high official circles.

It is stated upon excellent authority that Bulgaria is showing a most conciliatory spirit. It is reported she is inclined to adopt a less firm attitude regarding Adrianople, hitherto the great stumbling block.

The Turks have demanded that the new frontier shall be a line drawn from Kirk Kilisse to the neighborhood of Saloniki. Adrianople to remain a Turkish possession.

The Bulgarian delegates are pressing for the frontier to take a line from Mustapha Pasha to Dedegazhar, along the river Maritsa, the port of Kavala becoming Bulgarian territory. Given a disposition to compromise on the part of Bulgaria on the subject of Adrianople, there is every reason to look for a peaceful solution.

For the first time in fifteen days a veiled message was received here to—

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## MAN FOR WHOM MURDER PATRICK WAS CONVICTED



WILLIAM MARSH RICE.

The millionaire, whose murder was one of the sensations of more than a decade ago, Patrick was convicted on the testimony of the old man's valet, Jones, who confessed that Patrick had induced him to be a party to the plot to do away with his master. In order that Patrick might get control of the fortune, the pardoning of Patrick by Gov. Dix marks the end of the long fight the attorney has been waging since the first day he was confined at Sing Sing.

## FORMER SENATOR GORDON DIES

"Gentleman from Mississippi," Famous for "Brotherly Love" Speech, Passes Away.

Gen. James Gordon, "The Gentleman from Mississippi," who, after two months' service in the United States Senate, delivered his famous farewell "brotherly love" speech, died at his home at Okolona, Miss., yesterday morning, according to a dispatch to The Washington Herald. Gen. Gordon is reported to have been in strained circumstances, and recently was appointed a county game warden.

Gen. Gordon was seventy-six years old when in December, 1908, he was appointed to the Senate to fill out the unexpired term of the late Senator A. J. McLaughlin, and while he made many friends among his colleagues in the few weeks he was at the Capitol, he did not win fame until he made his farewell speech February 24, 1910. He was altogether out of order when he began to deliver what proved to be an oration of wonderful affecting simplicity, full of homely wisdom, cheerfulness, and humor. But such was the spell his caustic wit cast upon the Senators as one by one they put aside other thoughts to hear what the Senator from Mississippi was saying, that Gen. Gordon was permitted to go on to the end.

Talks of Childhood Days.

He talked of his boyhood and its ambitions, one of them to preside over the Senate, and of his father and mother, and their care and teaching; of his college days; of his daring service in the army of the Confederacy; of his secret mission to Europe for the Confederacy; of his capture by the Federal soldiers on his return, of his escape to Canada, of his being suspected of conspiring with Booth for the assassination of President Lincoln, and of his acceptance of that charge. He told of service in the Mississippi Legislature, of his life as a planter, of his servants and former slaves at home.

There was almost nothing that Gen. Gordon did not talk about in that remarkable speech in the United States Senate, over which he had been appointed to preside the day before, in fulfillment of his ambition. In it all, he had only words of good will for all men.

Tired of Sectionalism.

"I am tired of sectionalism," Senator Gordon said. "God knows I have seen enough of it. I don't want any more of it."

"I am an old Confederate. You are old Union men, perhaps. We disagreed. And you are the victors."

"But our people were good people, and we do not dispute that yours were just as good. Not at all; our people are not quarreling over these things down South."

Referring to his colleagues, Gen. Gordon said:

"I am proud to-day to be associated with the men whom I see around me. I have heard you all abused and censured. But I find that this is about the finest working body of men I was ever associated with."

"Love One Another."

"My religion is the Eleventh Commandment. That ye love one another. That is what I want to bring about here. I want to implant in your hearts, just as it is in my heart, a growing love for the country I live in and the people I live with."

"I want to wipe out all lines."

Gen. Gordon's service in the Senate ended March 4, 1910. Since his retirement he has lived at his home in Okolona.

Army and Navy Football.

Special Train to and from Franklin Field, Philadelphia, Pa.

Saturday, November 30. Leave Union Station, Washington, 9:40 a. m., running direct to Philadelphia. Arriving at 11:30 a. m. after game. Pullman parlor cars, dining cars, and vestibule coaches. Round trip tickets sold for all trains November 29, and morning trains up to and including 11 a. m. train, November 30. Good returning until December 2, inclusive. Round trip Pullman tickets sold for special trains. Full particulars of B. & O. Newbold, D. P. A. Fifteenth and G Streets, Washington.

Havana and Other Points in Cuba.

Special Train to and from Havana, Cuba.

Leave Washington, D. C., Saturday, November 30, 11:30 a. m.

## BULLITT FILES BRIEF IN SUIT OF NEWSPAPERS

Solicitor General Upholds the Statute Requiring Certain Acts of Papers.

## CALLS LAW A LOOSE ONE

But Government Maintains Right to Say What Can Go Through the Mails.

Containing that Congress has not abridged the freedom of the press by the legislation contained in the last post-office appropriation bill, which requires newspapers to make statements of circulation, ownership, and paid advertising and to meet other requirements before being admitted to the mails as second-class matter, the Solicitor General has filed a brief in the United States Supreme Court in opposition to the arguments set out herebefore in briefs filed on behalf of the Journal of Commerce and other publishers who are attacking the constitutionality of the law.

The case, together with the one brought by the Lewis Publishing Company, of New York, publishers of the Morning Telegraph, is an appeal from the Southern district of New York where applications for injunctions to restrain the enforcement of the law were denied by the court. There is a country-wide interest in the result of the case to which the briefs relate. They are by common consent test cases, and will determine whether the law shall stand or fall. Because of the importance of the issue, the Supreme Court granted a request to advance the cases, and they will be heard in December.

Solicitor General's Opinion.

William Marshall Bullitt, Solicitor General, in the brief which went on record yesterday for the government, insists that a proper construction of the act is to hold that it simply proposes to require publishers to comply with certain conditions before being permitted to enjoy the second-class privilege. Furthermore, that for a use of the second-class privilege by a publisher after notice, without having complied with conditions, shall be held to be an offense punishable by fine. The government contends that when a publisher is permitted to use the second-class privilege, it is a privilege, and that admitting the possibility that a different construction than that advanced by the government is in fact upon the law, the Solicitor General holds that the requirement that advertisements and other matter paid for at advertising rates should be marked as such may be regarded as an offense punishable by fine. The government contends that the act is a valid law, and that admitting the possibility that a different construction than that advanced by the government is in fact upon the law, the Solicitor General holds that the requirement that advertisements and other matter paid for at advertising rates should be marked as such may be regarded as an offense punishable by fine.

The government contends that the act is a valid law, and that admitting the possibility that a different construction than that advanced by the government is in fact upon the law, the Solicitor General holds that the requirement that advertisements and other matter paid for at advertising rates should be marked as such may be regarded as an offense punishable by fine.

Arrivals Loose Method.

"Nothing is better known," continues the Solicitor General, "than that many, very many statutes are drawn and passed with the most obvious evidences of haste, lack of knowledge of constitutional principles, ignorance of many of the facts to which the statute will apply, and of the consequences which will flow from its operation in quarters its makers never knew existed."

After this sweeping condemnation of the haste and carelessness with which the act was passed, the Solicitor General continued:

"And so long as our laws are passed in the hasty and unconsidered way that they are, it is not surprising that the most difficult tasks of our courts be to construe them, and thereby to give some effect to them without transgressing constitutional restrictions and yet accomplishing as much as may be that which its authors intended."

The government lays much stress on the fact that the legislation proposed is not general in character in the sense that it reserves a general rule for the admission of newspapers to the mails. There is no denial absolutely of mail privileges. The statute simply prescribes conditions on which publications may enjoy favored privileges of cheap postage, and while the law carries a penalty, the penalty does not apply to newspapers which fail to do certain things, except such failure is in connection with an enjoyment of the second-class privilege.

Rights of Congress.

The Solicitor General admits that "Very probably Congress has no power to regulate the press or to say what shall or what shall not go into newspapers, or to require them to print the names of their contributors or circulation, or to prescribe how they shall label their articles." He admits that if the statute be construed as a legislative attempt to exercise such power, especially so far as the advertisement paragraph goes, "It may possibly be said that the law is unconstitutional."

Finally the Solicitor General contends that under the power to establish post-offices and post roads, "Congress has the absolute right to determine what matter may be carried in the mails, and what may be excluded from the mails, and it may declare the conditions on which second-class matter shall be carried." He cites the fact that Congress under such power has excluded from the mails intoxicating liquors, poisons, bad-smelling, explosive, or inflammatory articles, live or dead animals, obscene matter, lottery advertisements, and letters containing threats, or of libelous matter on the envelopes. He also cites the fact that Congress in the further exercise of its plenary power in such matters has made classifications of four separate classes, each carrying a different rate of postage.

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## PATRICK WALKS FROM SING SING A FREE MAN

Pardoned Lawyer Enjoys His Thanksgiving Dinner with Wife in New York.

## REFUSES TO GIVE INTERVIEW

"Lost Perspective of the Outside World," He Says—Will Fight for Vindication.

New York, Nov. 28.—The barred door of Sing Sing swung open for Albert T. Patrick this afternoon at exactly 4:30 o'clock. The lawyer, who, for nearly eleven years, was caged up in the gray walls of prison, convicted of the murder of William Marsh Rice, his millionaire client, stepped out a free man, pardoned by Gov. Dix.

With the release of Patrick there began the long deferred honeymoon with the heavily veiled little woman who married him ten years ago when he was taken to the Tomb after his sentence to the electric chair. In the apartment ready for him at 130 Claremont Avenue, Patrick, after a dizzy automobile ride from Sing Sing, sat down to-night to a Thanksgiving dinner with Mrs. Patrick, Thomas Maher, a former convict, released a year ago by Gov. Dix, who has worked hard after gaining his freedom to get the lawyer out of prison; Henry Harber, a merchant, of Peekskill; Martin F. Maher, George's mother-in-law; and a woman friend of Mrs. Patrick.

In Good Health.

A jovial reunion it was for the lawyer who for years stood in the shadow of the electric chair. Patrick, shutting himself from the world, saying that he had no word to offer until he had "regained his perspective," devoted himself to a fast sweetened by the breath of freedom so unexpectedly given to him.

As Patrick emerged from Sing Sing prison he showed the superb nerve that has stood by him in his long confinement. He had nothing to add to that now. The first report speaks for itself. Mr. George is chairman of the committee, and he will plan any further activities.

To Hold Hearings.

The present activities of the subcommittee are confined to planning out the course of the investigation into Mr. Patrick's conduct of his office, for it is already reported that a searching investigation will be made. The report, however, will be granted Assessor Richards and any others who care to appear before the subcommittee.

Under the present legal status of the assessor's office, there is no way in which the House, if it so desires, can force the removal of Mr. Richards or any of its assistants.

Representative Cordell Hull, a Democratic leader of the House, issued a statement last night in which he bitterly attacked the Taft order throwing 30,000 fourth-class postmasters into the classified service. Mr. Hull charged that this order was issued on the eve of the November election, and that it was designed to give an army of Republican officeholders a life tenure of their jobs.

He charged further that the order was a perversion of the merit principle, instead of an extension of it. Representative Hull declared that it was the duty of President-elect Wilson to suspend this order, and prevent some rule under which 30,000 postmasters might be fired after a proper examination.

"If this order is carried out it will result in the removal of about 30,000 postmasters for life or during good behavior," said Representative Hull. "I understand that forthcoming regulations of the commission under which the order will be administered do not even contemplate an examination."

"The Taft order was issued on the very eve of the late general election, the result of which had not been in doubt, and after practically all the fourth-class post-offices had been filled by Republicans selected by, or referred to by, Republicans in other sections of the country. Political considerations almost invariably controlled these selections. It is thus proposed to fasten this army of 30,000 political postmasters on the incoming administration."

Would Make It a Farce.

"If this order is adhered to it will make honest civil service a farce and prove the greatest setback to its administration, extension and progress within a generation. On January 1, 1913, President Cleveland issued an order placing all Federal employees in the Railway Mail Service in the classified service. Within a week after his inauguration President Harrison suspended the Cleveland order until the first of May following."

"By that time Republicans had discarded Democrats in the Railway Mail Service and the order was not further suspended."

Representative Hull made it plain that the Democratic leaders would urge President Wilson to suspend the Taft order relating to fourth-class postmasters.

Spurred on by important officeholders, Democratic statesmen are in an ugly frame of mind over the patronage question. It is understood that they will endeavor to prevent the confirmation of recent appointments made by President Taft, and those that may be made by him between now and the end of his administration. To this end it is understood that they are attempting to reach a working agreement with the Senate Progressives.

Army and Navy Football, Philadelphia, Nov. 30.

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## SUBCOMMITTEE OF HOUSE AFTER RICHARDS' SCALP

Representative George and Herbert J. Browne Preparing Case Against Assessor.

## SECOND REPORT COMING

Legislation Would Be Necessary to Remove Office-holder from His Position.

By JOSEPH F. ANNIN.

The George subcommittee of the House District Committee, which has been investigating the law and assessment conditions in the District, and which already has submitted a sensational report covering the impersonal phases of the probe, is now setting out with ungrudging hands to "get" Assessor Richards and several of his assistants.

As was exclusively announced in The Herald last Tuesday, the George subcommittee is working on a supplementary report which will deal exclusively with evidence of what the investigators allege is malfeasance in office, of a nature to disqualify Assessor Richards and at least two of his assistants from further tenure of office.

The preparation of the case against Mr. Richards is in the hands of two men, Representative George, chairman of the subcommittee, and his expert assistant, Herbert J. Browne. Mr. Browne prepared much of the case made out against assessment conditions here in the first report submitted by George's committee. He is now spending virtually all his time collecting evidence to be used against Richards, according to reliable information. Neither Mr. George nor Mr. Browne will discuss their forthcoming report.

"You heard what I said before," the Piney Branch Citizens' Association, Mr. Browne replied last night, when asked for information as to the probable course of the investigation from here on. "I have nothing to add to that now. The first report speaks for itself. Mr. George is chairman of the committee, and he will plan any further activities."

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The present activities of the subcommittee are confined to planning out the course of the investigation into Mr. Patrick's conduct of his office, for it is already reported that a searching investigation will be made. The report, however, will be granted Assessor Richards and any others who care to appear before the subcommittee.

Under the present legal status of the assessor's office, there is no way in which the House, if it so desires, can force the removal of Mr. Richards or any of its assistants. It would require legislation specifically calling for his removal to get him out of office. That the Senate as at present constituted would consider such a proposition with hesitancy and an open trial—a course which the shortage of the present session makes impracticable—is highly probable, and the subcommittee probably will recommend such a course.

It has not been decided when the first hearings on the new phase of the investigation will be staged. The investigation of the office of Mr. Richards will be considered as a continuation of the first investigation, and as such covered by the authority granted in the resolution which called for all the investigations of the assessor's office.

Citing Instances.

Two points which the investigators will bring out against Mr. Richards and Assessor Richards, Kalbfus and McKenzie, spring from the charges made against Kalbfus by the late Oden Horstman last year. These center around the sale of certain parcels of land by Kalbfus to Peter A. Drury. Mr. Browne referred to one transaction in his talk before the Piney Branch Citizens' Association Monday night, a case which according to the testimony taken in the Kalbfus case, a place of property near the new Connecticut Avenue Bridge was sold to Mr. Drury for \$14 a square foot and assessed on the basis of \$10 a square foot. The price paid by Mr. Drury was \$156 a square foot. The sale, according to Kalbfus' testimony, was made several months before the 1910 assessment books were closed, yet the property was assessed at only 60 cents a square foot.

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## WIFE WHO LONG REMAINED FAITHFUL TO PARDONED LAWYER



MRS. ALBERT T. PATRICK.

Wife of the attorney who has just been freed by Gov. Dix of New York, after serving more than ten years of a life sentence for complicity in the murder of his client, William Marsh Rice, the eccentric millionaire, Mrs. Patrick's long fight for the freedom of her husband was one of the most striking features of this case, which, at the beginning, was one of New York's most sensational murder cases.

Concerning Commissioners.

About the two offices of District Commissioners which are now held by Cuno H. Rudolph and John A. Johnston, and which will be vacant by expiration of terms in January, there has been naturally the most gossip, with as many men suggested as have been prophesied to be Cabinet personages in the new regime.

Aside from the interest attaching to the names of Democrats mentioned for the places, quite the most striking feature of the situation in regard to the Commission offices is the report that while it is reported alternately that the President will and will not not respond to the present Commissioners, but even when in office by one way or the other, the President will appoint his successors, there is a growing rumor that Democrats are being tried out with a view to ascertaining what effect the reappointment of Mr. Rudolph and the appointment of a Democrat to succeed Gen. Johnston would have.

Democrats of the District have contended that Johnston is not a Democrat, and that by his appointment three years ago President Taft violated the precedent that one of the Commissioners should be a Republican, the other a Democrat. It is said that the White House is interested to know if Mr. Rudolph's reappointment might be allowed to maintain him in office even under a Democratic administration if President Taft, in January, appoints a Democrat for the two months remaining of his administration.

Those Democrats asked about this matter said they did not look with favor upon such a plan as rumor is suggesting. In fact, it may fairly be said that the Democrats think President-elect Wilson ought to choose both Commissioners from his own party, as they claim President Taft did.

Many Are Receptive.

Of the Democrats mentioned for the Commission offices there is a long list. Almost every well-known Democrat has been distinguished in this way. But nobody will be quoted as authority for a prediction. It is recognized that there are at least two contending factions of Democrats in the District, new and what recognition members of these factions, as such, might have in very production.

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